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TO: COMMISSIONER FOR PATENTS  
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FROM: KIM M. HAGEMANN

RE: U.S. PATENT APPLICATION SERIAL NO. 09,993,080  
ATTORNEY DOCKET NO. 0881

DATE: 09/29/04 FAX NUMBER: (703) 872-9306

NUMBER OF PAGES FOLLOWING THIS SHEET: 12

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**COMMENTS:**

**TRANSMISSION INCLUDES THE FOLLOWING:**

**Transmittal Form (1 Page)**  
**Non-Fee Amendment and Request for Reconsideration (11 Pages)**

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PTO/SB/21 (04-04)

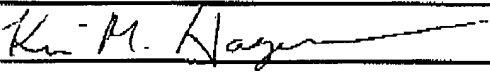
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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number	09/993,080
		Filing Date	11/13/2001
		First Named Inventor	Jerome P. Ranch
		Art Unit	1638
		Examiner Name	Kallis, Russell
Total Number of Pages in This Submission	12	Attorney Docket Number	0881

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Kim M. Hagemann
Signature	
Date	September 29, 2004

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Kim M. Hagemann		
Signature		Date	September 29, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE U.S. PATENT AND TRADEMARK OFFICE AT (703) 872-9306 ON SEPTEMBER 29, 2004.

Name (Type or Print) Kim M. Hagemann

Signature K. M. Hagemann

Date September 29, 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No. : 09/993,080 Confirmation No. 6034  
Applicant : Jerome P. Ranch  
Filed : 11/13/2001  
TC/A.U. : 1638  
Examiner : Kallis, Russell  
Docket No. : 0881  
Customer No. : 27310  
Title : Methods for Transforming Immature Maize Embryos

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**NON-FEE AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER  
37 CFR § 1.113 TO OFFICE ACTION MAILED JULY 29, 2004**

In response to the Office Action mailed July 29, 2004, please amend the above-identified application as follows.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 12 of this paper.